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Cc: Lee, Monica[Lee.Monica@epa.gov]
From: Hull, George
Sent: Sun 8/16/2015 4:51:22 PM
Subject: Gold King Mine Questions

Ms. Marsh,

Please find below our answers to the questions you sent regarding the Gold King Mine spill. We are still working to answer the last question and will provide that response in a separate e-mail when completed.

George Hull
Office of Media Relations
U.S. EPA

QUESTION: Can the EPA designate a site a superfund area without support from a community?

RESPONSE: The 1986 amendment of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, better known as Superfund) contains public participation provisions that direct the EPA to engage communities affected by actual and potential Superfund NPL sites about cleanup decisions, including the decision to list a site. The Superfund National Priorities List (NPL) identifies the most serious sites that the EPA has designated to be eligible for long-term cleanup. When the EPA proposes to add a site to the National Priorities List (NPL), the Agency publishes a public notice about its intention in the *Federal Register*. The EPA also issues a public notice through the local media to notify the community, so interested members of the community can comment on the proposal. The EPA must respond to the comments it receives. After consideration of those comments and weighing other factors, the Agency may proceed with adding a site to the NPL.

QUESTION: I'm also wondering if the type of mining pollution that was created by this particular mine is common with all mines.

RESPONSE: Yes, many hardrock mining sites, such as the Gold King Mine, have mine-influenced waters, potentially containing high-metal content and low pH.

QUESTION: Earth Work Action tells me that the price to clean up these sites has been estimated by the EPA at \$50 billion, and there is no steady funding source, leaving the EPA, states and local governments to cobble together resources for clean-up. Is that true?

RESPONSE: The EPA's Office of the Inspector General Evaluation Report *Nationwide Identification of Hardrock Mining Sites* (March 2004) states that: "We identified 156 hardrock mining sites nationwide that have the potential to cost between \$7 billion and \$24 billion total to clean up (at a maximum total cost to EPA of approximately \$15 billion). These costs are over 12 times EPA's total annual Superfund budget of about \$1.2 billion for the last 5 years. This suggests potential difficulties for the Superfund program, although, based on how EPA may apply listing and/or funding criteria, these costs may not all fall to EPA." In addition to the EPA, the Department of Agriculture and the Department of Interior also address abandoned mines on their lands.

QUESTION: The advocacy group also claims that 40% of the streams in the headwaters of western watersheds have been polluted by hardrock mining. Is that true? Is there more context needed here? Is there some amount of pollution that's allowable ie safe?